

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Charles P. Kocoras	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 7008	DATE	11/30/2011
CASE TITLE	Morrow vs. May et al		

DOCKET ENTRY TEXT

Enter rulings on pending motions in limine.

■ [For further details see text below.]

Docketing to mail notices.

ORDER

RULING ON PLAINTIFF'S MOTIONS IN LIMINE

- Motion # 1 To Bar Evidence and Witnesses Not Previously Disclosed**

Denied for the reasons stated in open court on 11/29/2011.
- Motion # 2 To Bar Evidence, Testimony, and Argument Regarding a Controlled Substance, Including Physical Evidence of a Controlled Substance, Expert Testimony Regarding a Controlled Substance, The Laboratory Report, and the Police Inventory Report**

Motion is taken under advisement.
- Motion # 3 To Bar Speculative and Improper Expert Testimony of Assistant State's Attorneys As To Why There Was a Dismissal Of The Charge After a *Nolle Prosequi* Motion**

Denied for reasons stated in open court on 11/29/2011.
- Motion # 4 To Bar Evidence, Testimony, and Argument Regarding All Arrests and Convictions of Plaintiff and Bar Introduction of Plaintiff's Rapsheet into Evidence**

Granted other than plaintiff's felony conviction in last 10 years; that conviction is admissible for credibility reasons.

ORDER

5. Motion # 5 To Bar Any Inference That Plaintiff Has Used Illegal Drugs or Abused Alcohol In The Past

Granted.

6. Motion # 6 To Bar Negative Reference to Plaintiff's Employment History of Source of Income and Financial Circumstances

Granted other than Plaintiff's financial circumstances and employment situation around the date of his arrest.

7. Motion # 7 To Bar Any Reference to the 1100 Block of North Ridgeway Avenue, in Chicago, Illinois, As A High Crime or Drug Area

Denied. See Illinois v. Wardlow, 528 U.S. 119, 124 (2000).

8. Motion # 8 To Bar Any Questions or Reference to Gang Affiliation or Tattoos

Granted.

9. Motion # 9 To Bar Evidence of Documents Defendants Failed to Disclose

Denied without prejudice. Admissibility issues to be decided at trial in context of other evidence presented.

10. Motion # 10 To Bar Evidence, Testimony, and Argument Regarding Plaintiff's Other Civil Rights Lawsuit

Granted without prejudice to reconsideration should plaintiff's evidence open the door to the subject.

11. Motion # 11 To Bar Improper Bolstering of Defendants

Motion taken under advisement and to be decided in context of trial evidence.

12. Motion # 12 To Bar Testimony Regarding Defendant's Ability or Inability to Pay Punitive Damages

Motion taken under advisement and to be decided in context of trial evidence.

13. Motion # 13 To Exclude Non-Party Witnesses From The Courtroom

Granted.

14. Motion # 14 To Permit The Plaintiff to Treat the Defendants and All Other Officers and City Employees as Adverse Witnesses

Granted.

ORDER

RULING ON DEFENDANTS' MOTIONS IN LIMINE

1. Motion # 1 To Bar Testimony Regarding Future Pain and Suffering, Permanency, and/or Disability

Denied as to claims re: pain and suffering derived from stop, arrest and incarceration. Granted as to any claimed pain, suffering and disability in future.

2. Motion # 2 To Bar Lay Witnesses from Offering Expert Testimony

Granted.

3. Motion # 3 To Bar Testimony Regarding Alleged Wage Loss

Granted.

4. Motion # 4 To Bar Testimony Regarding Insurance Coverage and Indemnification of Defendants

Granted without prejudice to determination at trial based on other evidence.

5. Motion # 5 To Bar Evidence, Testimony or Reference To Any Violation of Chicago Police Department General Orders, Regulations or Directives

Granted.

6. Motion # 6 To Bar Any Argument or Testimony Regarding Negligent or Improper Training, Monitoring, Control, Discipline or Hiring of Police Officers, Including Defendants

Granted.

7. Motion # 7 to Bar Evidence and Witnesses Not Previously Disclosed

Denied without prejudice; motion is unclear as to what it specifically refers to.

8. Motion # 8 To Bar Improper Arguments or Innuendos that Plaintiff Seeks to "Send a Message" to the City of Chicago and the Police

Granted without prejudice to trial evidence and context of evidence.

9. Motion # 9 To Bar Reference to Other Lawsuits, Other Claimed Incidents of Defendants' Disciplinary History

Granted.

ORDER

10. Motion # 10 To Allow the Use of Prior Conduct of Plaintiff Including Prior Bad Acts and Convictions

Denied for reasons stated in open court on 11/29/2011, other than Plaintiff's felony conviction.

11. Motion # 11 Barring Evidence of Media Coverage

Granted as to any affirmative evidence of this type. All other issues will be decided at trial.

12. Motion # 12 To Bar Evidence of Settlement or Final Disposition

Granted.

13. Motion # 13 To Bar Any Allegations of "Code of Silence," "Blue Wall," and/or "Cover-Up"

Granted as to use of terms delineated in the motion.

Date: November 30, 2011



CHARLES P. KOCORAS
U.S. District Judge